

## House File 2122 - Introduced

HOUSE FILE 2122

BY MASCHER, RUFF, HUNTER,  
MURPHY, STAED, JACOBY,  
KEARNS, DAWSON, STUTSMAN,  
LENSING, DUNKEL,  
ABDUL-SAMAD, COHOON,  
T. TAYLOR, HALL, MEYER,  
HEDDENS, BEARINGER,  
OURTH, WOLFE, ANDERSON,  
THEDE, H. MILLER, GAINES,  
STECKMAN, WINCKLER, BERRY,  
GASKILL, KAJTAZOVIC,  
HANSON, and OLDSO

### A BILL FOR

1 An Act relating to elderly persons with aggressive or  
2 psychiatric behaviors in long-term care facilities.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1.   FACILITY FOR ELDERLY PERSONS WITH AGGRESSIVE OR  
2   PSYCHIATRIC BEHAVIORS — COMMITTEE — REPORT.

3     1.   The department of inspections and appeals, in  
4   conjunction with the department of human services, shall  
5   establish and facilitate a committee of stakeholders to examine  
6   options for designating a facility to provide care for elderly  
7   persons in this state who are sexually aggressive, combative,  
8   or have unmet geropsychiatric needs.

9     2.   The membership of the committee shall include but is not  
10  limited to the following:

11    a.   Representatives of the departments of inspections and  
12  appeals, human services, public health, and aging, the state  
13  public defender, the office of ombudsman, the office of the  
14  state long-term care ombudsman, and the judicial branch.

15    b.   Consumers of services provided by long-term care  
16  facilities and family members of consumers.

17    c.   Long-term care facility administrators or owners.

18    d.   Direct care workers employed by long-term care  
19  facilities.

20    e.   Representatives from Iowa legal aid.

21    f.   Representatives from AARP Iowa.

22    g.   Representatives from the Iowa civil liberties union.

23    h.   Other stakeholders as the department of inspections and  
24  appeals and the department of human services deem appropriate.

25    3.   The committee shall discuss whether a long-term care  
26  facility, as defined in section 142D.2, should have the  
27  ability to refuse admission to, or discharge, residents who are  
28  sexually aggressive, combative, or have unmet geropsychiatric  
29  needs. The committee shall consider options for establishment  
30  of a facility to provide care for persons who are sexually  
31  aggressive, combative, or have unmet geropsychiatric needs.  
32  The committee shall identify the characteristics of residents  
33  for such a facility, options for creating a new facility to  
34  house such residents, options for the expansion of an existing  
35  facility to house such residents, options for using any

1 alternative facilities for such residents, the workforce and  
2 training necessary for the workforce in such facility, the use  
3 of protective restraints at such facility, options to qualify a  
4 facility for Medicaid reimbursement, cost projections for any  
5 recommendations, and other information deemed relevant by the  
6 department of inspections and appeals.

7 4. The committee shall provide a report detailing its  
8 findings and recommendations to the governor and the general  
9 assembly by December 15, 2014.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with  
12 the explanation's substance by the members of the general assembly.

13 This bill relates to housing of elderly persons who  
14 are sexually aggressive or combative or who have unmet  
15 geropsychiatric needs. The bill directs the department of  
16 inspections and appeals, in conjunction with the department  
17 of human services, to establish and facilitate a committee  
18 to address the placement or housing of such persons. The  
19 committee must identify the residents to be served; the  
20 need for a facility; options for creating a new facility,  
21 expanding an existing facility, or using any alternative  
22 facility for the purpose of housing the identified persons; the  
23 workforce and training needs for such a facility; the use of  
24 protective restraints at such facility; options to qualify a  
25 facility for Medicaid reimbursement; cost projections for the  
26 recommendations; and other information deemed relevant by the  
27 department of inspections and appeals.

28 The committee must provide a report of findings and  
29 recommendations to the governor and general assembly by  
30 December 15, 2014.